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PETER OPPENEER
CLERK US DIST COURT
WD OF WI

THOMAS VALLEY,
Petitioner

v.

Case No. 11-cr-133-BBC

UNITED STATES OF AMERICA
Respondent,

MOTION FOR APPOINTMENT OF COUNSEL

For the purposes of Compassionate Release Development
under 18 U.S.C. § 3582 (c)(1)(A)(i)

COMES NOW, Thomas Valley, prose, the defendant in the above entitled case, asking this court to appoint either: a) the public defenders' office; or b) Panel attorney, for the purposes of assisting the inmate secure compassionate release development and procedure.

I. NECESSITY OF REQUEST

Thomas Valley, in currently housed at United States Penitentiary at 4500 Prison Road, Marion IL 62959. The institution is regularly locked down due to "preventative" measures related to COVID-19. This affects Mr. Valley's access to the legal law library, and other resources necessary to prepare a motion for these purposes.

Mr. Valley is also unable to secure any funds necessary to proceed otherwise as he is not receiving funds from any source and due to the pandemic, Mr. Valley has not institution employment.

Finally, Mr. Valley is unable (due to the complexity of this matter) and lack of legal training) proceed prose on this matter.

II. Relevant Risks

Mr. Valley pled guilty to a crime that he has taken responsibility for. Mr. Valley did not receive a life sentence, and at any rate, should not be subject to any conditions of confinement that are unsafe or have the potential for serious illness or fatality.

The risks are not imagined. This facility encountered a dangerous outbreak of the virus July 16, 2020, which resulted in over 150 inmate cases and two inmate deaths. On July 27, 2020, Mr. Valley tested positive for COVID-19 experiencing critical symptoms. The facility quarantined Mr. Valley providing no essential care and never re-testing him before releasing him back into general population. This facility cannot protect vulnerable inmates such as Mr. Valley from this disease.

In addition, Mr. Valley has a history of hypertension as well as other risk relevant conditions. Mr. Valley was diagnosed for asthma in the past, Mr. Valley has communicated this concern multiple times but the facility refuses to address it. Finally, Mr. Valley has acute sinusitis as well.

III. COURT AS ABILITY TO RESENTENCE MR. VALLEY

This court has the ability and authority to re-sentence Mr. Valley to a lesser sentence. Mr. Valley's offense allows for a sentence far below what was received and using the factors of §3553, a departure from the guidelines and toward the minimums is warranted under these conditions.

CONCLUSION

Wherefore, Mr. Valley requests this court to assign an attorney to represent himself in this matter, or in alternative provide a supplemental motion to Mr. Valley's motion for any deficiencies.

Respectfully submitted on this 6 day of October 2020.

Thomas Valley 10-6-2020
Thomas Valley, Prose Date

Thomas Valley 07544-090
PROSE
United States Penitentiary
PO Box 1000
Marion IL 62959

Certificate of Service

I, Thomas Valley, do hereby certify that I have mailed (1) one copy of:

Motion for Appointment of Counsel

totaling: 3 Pages

having been deposited into the housing unit's mail box at the United States Penitentiary in Marion IL, Unit L, to the following:

Office of the Clerk
U.S. District Court
Western District of Wisconsin
120 N Henry Street
Madison, WI 53703

I hereby make solemn affirmation that I mailed the above documents as stated under the penalty of perjury.

This 6th day of October, 2020

Thomas Valley